

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

CHERYL ANN THOMAS, )  
Plaintiff, )

v. )

CAROLYN W. COLVIN, )  
*Acting Commissioner of Social Security,* )  
Defendant. )

**JUDGMENT**

Case No. 7:15-CV-101-KS

**Decision by Court.**

This action came before United States Magistrate Judge Kimberly A. Swank for consideration of the parties' cross motions for judgment on the pleadings.

IT IS ORDERED, ADJUDGED AND DECREED the court GRANTS the Plaintiff's Motion for Judgment on the Pleadings [DE-25], DENIES the Defendant's Motion for Judgment on the Pleadings [DE-27], and the case is remanded to the Commissioner pursuant to sentence four of 42 U.S.C. §405(g) for further consideration.

This judgment filed and entered on September 28, 2016, with *electronic service* upon:

**Michael Gillespie**  
**James Gillespie, Jr.**  
415 Chestnut Street  
Wilmington, NC 28401  
*Counsel for Plaintiff*  
*via CM/ECF*

**Mary Ellen Russell**  
Social Security Administration  
6401 Security Blvd., Altmeyer Building  
Baltimore, MD 21235  
*Counsel for Defendant*  
*via CM/ECF*

**JULIE R. JOHNSTON**  
**CLERK, U.S. DISTRICT COURT**

September 28, 2016

/s/ *Shelia D. Foell*  
(By): Shelia D. Foell, Deputy Clerk